AN ACT concerning postsecondary education; relating to tuition; providing for the waiver of tuition for certain children of qualifying public school teachers; deeming certain children of qualifying public school teachers as residents for tuition purposes; amending K.S.A. 76-729 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

New Section 1. (a) This section shall be known and may be cited as the children of public school teachers educational assistance act.

(b) As used in this section:

(1) "Act" means the children of public school teachers educational assistance act.

(2) "Educational program" means a program that is offered and maintained by a Kansas educational institution and leads to the award of a certificate, diploma or degree upon satisfactory completion of coursework requirements.

(3) "Eligible student" means a child whose parent is a teacher who meets the requirements of subsection (d) and who is eligible to enroll at a Kansas educational institution.

(4) "Kansas educational institution" means any community college, municipal university or state educational institution as defined in K.S.A. 76-711, and amendments thereto.

(5) "Parent" means a Kansas resident who is the parent, stepparent, legal guardian or custodian of an eligible student.

(c) (1) The children of public school teachers educational assistance act shall be administered by the state board of regents to provide tuition assistance for up to two eligible students per family whose parent meets the requirements of subsection (d).

(2) Tuition assistance shall be provided from undergraduate enrollment in a Kansas educational institution through the semester the eligible student attains 23 years of age so long as the eligible student meets requirements of this act.

(d) To receive tuition assistance pursuant to this act, the parent of an eligible student shall:

(1) Hold a valid Kansas teaching license;

(2) have been a teacher employed by a school district in this state for
at least:

(A) Eight years for the first eligible student in a family to receive tuition assistance; or

(B) 10 years for the second eligible student in a family to receive tuition assistance. Years of service as a teacher employed by a school district may be non-consecutive but shall be met within a 16-year time period; and

(3) (A) if residing in any Kansas county other than Johnson county, have a household income of less than $120,000 for a family of four; or

(B) if residing in Johnson county, have a household family income of less than $170,000 for a family of four.

(e) No eligible student who meets the requirements of subsections (d) and (f) and is enrolled at a Kansas educational institution pursuant to this act shall be charged the amount of tuition or required fees charged by such Kansas educational institution for enrollment in courses necessary to satisfy the requirements of an educational program, except that no eligible student shall have the amount of tuition or required fees waived for any course repeated or taken in excess of the requirements for completion of the educational program in which such student is enrolled. Each eligible student enrolled in a Kansas educational institution pursuant to this act shall be responsible for all fees charged by such institution that are not directly related to and required for the courses in the educational program in which such student is enrolled.

(f) To remain eligible for tuition assistance, an eligible student shall remain in good standing at the Kansas educational institution where such student is enrolled and make satisfactory progress toward completion of the requirements of the educational program in which such student is enrolled.

(g) No Kansas educational institution shall delay enrollment of an eligible student who is receiving tuition assistance pursuant to this act because appropriations are not available therefor.

(h) The state board of regents may adopt rules and regulations for the implementation and administration of this act.

(i) Beginning in January 2024, the state board of regents shall publish an annual report on this act and present such report to the legislature.

(j) On and after July 1, 2028, any individual who was not receiving tuition assistance pursuant to this act prior to July 1, 2028, shall not receive tuition assistance.

New Sec. 2. (a) Up to two individuals in a family who have a parent who is a teacher and are enrolled or have been accepted for admission at a postsecondary educational institution as a postsecondary student shall be deemed to be residents of Kansas for purposes of tuition and fees for attendance at such postsecondary educational institution.
(b) As used in this section:
(1) "Postsecondary educational institution" means the same as defined in K.S.A. 74-3201b, and amendments thereto.
(2) "Teacher" means an individual who:
(A) Holds or held a valid Kansas teaching license; and
(B) was employed by a school district as a teacher in this state for at least four years but not more than seven years prior to moving to another state.
(c) This section shall not apply on and after July 1, 2028, to any individual who was not deemed a resident pursuant to this section and enrolled in a postsecondary educational institution prior to July 1, 2028.

Sec. 3. K.S.A. 76-729 is hereby amended to read as follows: 76-729.
(a) (1) Persons enrolling at the state educational institutions under the control and supervision of the state board of regents who, if such persons are adults, have been domiciliary residents of the state of Kansas or, if such persons are minors, whose parents have been domiciliary residents of the state of Kansas for at least 12 months prior to enrollment for any term or session at a state educational institution are residents for fee purposes. A person who has been a resident of the state of Kansas for fee purposes and who leaves the state of Kansas to become a resident of another state or country shall retain status as a resident of the state of Kansas for fee purposes if the person returns to domiciliary residency in the state of Kansas within 60 months of departure. All other persons are nonresidents of the state of Kansas for fee purposes.
(2) The provisions of this subsection shall not apply to a person who is deemed a resident for fee purposes pursuant to K.S.A. 76-731a, and amendments thereto, and section 2, and amendments thereto.
(b) The state board of regents may authorize the following persons, or any class or classes thereof, and their spouses and dependents to pay an amount equal to resident fees:
(1) Persons who are employees of a state educational institution;
(2) persons having special domestic relations circumstances;
(3) persons who have lost their resident status within six months of enrollment;
(4) persons who are not domiciliary residents of the state, who have graduated from a high school accredited by the state board of education within six months of enrollment, who were domiciliary residents of the state at the time of graduation from high school or within 12 months prior to graduation from high school, and who are entitled to admission at a state educational institution pursuant to K.S.A. 76-717b, and amendments thereto; or
(5) persons who are domiciliary residents of the state, whose domiciliary residence was established in the state for the purpose of
accepting, upon recruitment by an employer, or retaining, upon transfer
to employer, a position of full-time employment at a place of
employment in Kansas, but the domiciliary residence of whom was not
timely enough established to meet the residence duration requirement of
subsection (a), and who are not otherwise eligible for authorization to pay
an amount equal to resident fees under this subsection.

(c) Pursuant to K.S.A. 2022 Supp. 48-3601, and amendments thereto,
a veteran, an active duty member of the armed forces and the spouse and
dependent child of such veteran or active duty member of the armed forces
shall be deemed residents of the state for fee purposes.

(d) As used in this section:
(1) "Parents" means and includes natural parents, adoptive parents,
stepparents, guardians and custodians.
(2) "Guardian" has the meaning ascribed thereto by means the same
as defined in K.S.A. 59-3051, and amendments thereto.
(3) "Custodian" means a person, agency or association granted legal
custody of a minor under the revised Kansas code for care of children.
(4) "Domiciliary resident" means a person who has present and fixed
residence in Kansas where the person intends to remain for an indefinite
period and to which the person intends to return following absence.
(5) "Full-time employment" means employment requiring at least
1,500 hours of work per year.
(6) "Dependent" means:
(A) A birth child, adopted child or stepchild; or
(B) any child other than the foregoing who is actually dependent in
whole or in part on the person in military service and who is related to
such individual by marriage or consanguinity.
(7) "Academic year" means the twelve-month period
ending June 30.

Sec. 4. K.S.A. 76-729 is hereby repealed.

Sec. 5. This act shall take effect and be in force from and after its
publication in the statute book.